

REMARKS/ARGUMENTS

The Office Action has been carefully considered. It is respectfully submitted that the issues raised are traversed, being hereinafter addressed with reference to the relevant headings appearing in the Detailed Action section of the Office Action.

Drawings

The Examiner has objected that the drawings fail to show "at least one printhead integrated circuit that is positioned in the outlet to span the printing path, the, or each, printhead integrated circuit defining at least three sets of inlet apertures, each set of inlet apertures being aligned with the respective ink path".

The Applicant respectfully disagrees that the drawings fail to describe the above-mentioned feature. The Applicant draws attention to Figure 14 where the printhead 102 includes a series of apertures 128 defined therein for carriage of the ink to the front surface of the printhead for printing. This is described from line 29 through to line 33 of page 7 of the specification.

The Applicant respectfully requests withdrawal of the drawing objection.

Claim Rejections – 35 USC § 103

The Examiner has rejected claims 1 to 8 as being unpatentable over Suzuki (US Patent No 5,847,836) in view of Duffield et al (US Patent No 4,432,005).

In particular the Examiner has referred to selected portions of page 2 of the Applicant's specification to argue that Duffield et al is analogous art. The Applicant respectfully disagrees with the Examiner's reasoning.

It is from the field of invention of the current specification that analogous art should be a printer for a camera. The field of invention states:

"The present invention relates substantially to the concept of a disposable camera having instant printing capabilities and in particular, discloses a printhead assembly for a digital camera system."

For the Examiner to state that the ink jet printer of Duffield et al is analogous art is entirely contrary to the content of the field of invention. Sufficient weight should be given to the field of invention when attempting to decide what is analogous art.

Additionally, the two portions from page 2 of the specification would not appear to support the Examiner's argument that Duffield et al is analogous art. The Examiner's highlighting of the phrase "an ink reservoir assembly" would appear to indicate nothing substantial to the contrary that the embodiment described is a printer for a camera, as indicated in the preamble of this portion of the summary of invention between the last line of page 1 and the first line of page 2 which states "...there is provided a printhead assembly for a camera system".

In regard to the Examiner highlighting the phrase "The invention extends to a camera system", it is quite clear that this phrase corresponds with the language used in claim 8 where the camera, including the printhead, assembly is claimed. Therefore, this phrase is merely directed toward the camera including the printhead assembly which contrasts to the first aspect which relates to the printhead assembly for a camera. Again, this phrase does not support the Examiner's reasoning that Duffield et al is analogous art.

In regard to the Examiner's comment that the current application and Duffield et al share a field of endeavour as they both disclose a printhead assembly, the Applicant respectfully requests that the Examiner to review the decision of *Wang Laboratories, Inc. v. Toshiba Corp.*, 993 F.2d 858, 26 USPQ2d 1767 (Fed. Cir. 1993). In *Wang Laboratories, Inc. v. Toshiba Corp.*, the Patent claims were directed to single in-line memory modules (SIMMs) for installation on a printed circuit motherboard for use in personal computers. Reference to a SIMM for an industrial controller was not necessarily in the same field of endeavor as the claimed subject matter merely because it related to memories. Reference was found to be in a different field of endeavor because it involved memory circuits in which modules of varying sizes may be added or replaced, whereas the claimed invention involved compact modular memories.

Therefore, the Applicant respectfully requests that the Examiner reconsider this argument. In the event that the Examiner continues to disagree with the Applicant's argument, the Applicant respectfully requests the Examiner to explain why, in the current circumstances, the reasoning from *Wang Laboratories, Inc. v. Toshiba Corp* does not also apply to the current application. The Applicant sees no reason to conclude that there is a common field of endeavour due to both the Applicant and Duffield et al merely disclosing a printhead assembly, when in *Wang Laboratories, Inc. v. Toshiba Corp* the decision clearly teaches that the Patent claims and the reference were in different fields of endeavour even though both the claims and the reference were merely related to memories.

In any event, in order to expedite the allowance of the current application, the Applicant has amended claim 1 with the subject matter of claim 7. The Applicant is of the understanding that as the Examiner has searched the subject matter of claim 7 in combination with claim 1 in the previous two Office Actions. Claim 7 has subsequently been canceled from the current application.

The Applicant respectfully submits that claim 1, as currently amended, is patentable over Suzuki in view of Duffield et al. The Examiner has stated that the claim limitation of "*in which a sponge-like member is positioned in each ink reservoir to store the ink while inhibiting agitation of ink during general use of the camera system*" is taught by Duffield et al. by chamber 38 and col. 5 lines 60-64. The Applicant respectfully disagrees.

Chamber 38 and wick 46 are designed to collect waste ink that that is dispensed downstream from the ink reservoirs 8a, 8b and 8c. It is clear that the chamber 38 and wick 46 which the Examiner has interpreted to be the sponge-like member is not located in ink reservoirs 8a, 8b, or 8c which the Examiner has interpreted as the ink reservoirs at point 16 of the current Final Office Action.

Based on these reasons, the Applicant submits that currently amended claim 1 is patentable over Suzuki in view of Duffield et al. as there is no teaching or suggestion of "*a sponge-like member is positioned in each ink reservoir to store the ink while inhibiting agitation of ink during general use of the camera system*".

The Applicant respectfully requests reconsideration and withdrawal of the claim rejections.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance. Accordingly, the Applicant requests a Notice of Allowance of all the claims presently under examination.

Very respectfully,

Applicant/s:



Kia Silverbrook

C/o:

Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email:

kia.silverbrook@silverbrookresearch.com

Telephone:

+612 9818 6633

Facsimile:

+61 2 9555 7762